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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/840,777 | 04/24/2001 | Philip Shi-lung Yu | 101.016 | 5028 |

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BUCKLEY, MASCHOFF, TALWALKAR LLC
5 ELM STREET
NEW CANAAN, CT 06840

| EXAMINER | |
|---|---|
| LESNIEWSKI, VICTOR D | |
| **ART UNIT** | **PAPER NUMBER** |
| 2155 | |

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/840,777 | YU ET AL. | |
| | Examiner | Art Unit | |
| | Victor Lesniewski | 2155 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *24 April 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

1. This application has been examined.

2. Claims 1-41 are now pending.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-41 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kail, IV (U.S. Patent Number 5,959,529), hereinafter referred to as Kail.

5. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a medium storing processor-executable process steps or an apparatus are rejected under the same rationale applied to the described claim.

6. Kail has disclosed:

- <Claims 1, 14, and 27>

  A method for acquiring information associated with a location, comprising: searching a network for sensor measurements associated with a location (column 7, lines 60-65); and acquiring from the network a plurality of sensor measurements associated with the location (column 8, lines 12-16), wherein the identified plurality of sensor measurements are measurements obtained by a plurality of entities (column 6, lines 11-21).

- <Claims 2, 15, and 28>

  A method according to Claim 1, further comprising: storing the plurality of sensor measurements in association with the location (column 7, lines 13-16).

- <Claims 3, 16, and 29>

  A method according to Claim 1, further comprising: receiving a request to obtain information associated with the location (column 7, lines 31-37).

- <Claims 4, 17, and 30>

  A method according to Claim 3, wherein the acquiring step comprises: identifying a stored sensor measurement associated with the location (column 7, lines 16-20); determining if the stored sensor measurement satisfies a timeframe requirement (column 2, lines 63-66); and if the stored sensor measurement does not satisfy the timeframe requirement, acquiring a sensor measurement satisfying the timeframe requirement (column 2, line 67 through column 3, line 4).

- <Claims 5, 18, and 31>

  A method according to Claim 4, wherein the step of acquiring a sensor measurement satisfying the timeframe requirement comprises: identifying a pointer associated with the location (column 7, lines 13-20); and acquiring a sensor measurement satisfying the timeframe requirement based on the pointer (column 2, line 63 through column 3, line 4).

- <Claims 6, 19, and 32>

  A method according to Claim 5, wherein the pointer is associated with the stored sensor measurement (column 7, lines 16-20).

- <Claims 7, 20, and 33>

  A method according to Claim 1, further comprising: creating a representational view of the location based on the acquired plurality of sensor measurements (column 3, lines 8-18).

- <Claims 8, 21, and 34>

  A method according to Claim 7, further comprising: receiving information representing the location from a user; and presenting the representational view to the user (column 3, lines 8-18).

- <Claims 9, 22, and 35>

  A method according to Claim 8, wherein the representational view is presented in accordance with preferences associated with the user (column 4, lines 57-60).

- <Claims 10, 23, and 36>

  A method according to Claim 1, wherein the step of acquiring comprises: analyzing a stored data structure comprising a plurality of locations and, associated with each location, pointers for acquiring one or more sensor measurements (column 7, lines 13-20).

- <Claims 11, 24, and 37>

  A method according to Claim 10, further comprising: using pointers associated with the location to acquire the plurality of sensor measurements (column 7, lines 16-20).

- <Claims 12, 25, and 38>

  A method according to Claim 1., wherein the step of acquiring comprises: analyzing a stored data structure comprising a plurality of locations and one or more sensor measurements associated with each location (column 7, lines 13-20).

- <Claims 13, 26, and 39>

  A method according to Claim 1, wherein one or more of the identified plurality of sensor measurements are obtained by mobile sensors that are at some times not associated with the location (column 1, line 66 through column 2, line 5).

- <Claim 40>

  A system to acquire location information, comprising: a user device for receiving a location from a user (column 7, lines 11-13), for transmitting a request to receive information associated with the location (column 7, lines 60-65), for receiving a representational view of the location (column 3, lines 8-18), and for presenting the representational view to the user (column 3, lines 8-18); and a server for receiving the request (column 7, lines 13-16), for searching a network for sensor measurements associated with the location (column 7, lines 60-65), for acquiring from the network a plurality of sensor measurements associated with the location (column 8, lines 12-16), for creating the representational view (column 3, lines 8-18), and for transmitting the representational view to the user device (column 3, lines 8-18), wherein the identified plurality of sensor measurements are measurements obtained by a plurality of entities (column 6, lines 11-21).

- <Claim 41>

  A system according to Claim 40, wherein the server determines whether mobile sensors are located within a threshold proximity of the location and, if so, acquires sensor measurements from the mobile sensors (column 2, lines 28-31 and column 8, lines 12-16).

Since all the limitations of the invention as set forth in claims 1-41 were disclosed by Kail, claims 1-41 are rejected.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 703-308-6165. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VL

Victor Lesniewski
Patent Examiner
Group Art Unit 2155

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER